

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
October 17, 1973

The regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, October 17, 1973, in the City Hall Council Chambers.

ROLL CALL Present: Councilmen - EHRHARDT, KATNICH,
SCHAFFER and HUGHES
 (Mayor)

Absent: Councilmen - PINKERTON

Also present: City Manager Henry Glaves, Assistant City Manager Jerry Glenn, Public Works Director Shelley Jones, City Attorney Robert Mullen, and Planning Director James B. Schroeder.

INVOCATION The invocation was given by Councilman Ehrhardt.

PLEDGE The Pledge of Allegiance to the flag was led by Mayor Hughes.

MINUTES Upon motion of Councilman Ehrhardt, Katnich second, the Minutes of October 3, 1973, were approved as written and mailed.

PUBLIC HEARING

PREZONE I-PA TO C-2 C. WENTLAND S. CHEROKEE LANE ORD. NO. 1019 INTRODUCED	Mayor Hughes declared that now was the time and place for the required public hearing to consider the recommendation of the Planning Commission to prezone from the County classification of I-PA, Interim Protected Agriculture to the C-2, General Commercial District for an approximately 2-acre parcel on the east side of South Cherokee Lane approximately 1, 120 feet south of Kettleman Lane.
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The Planning Director introduced the matter and stated that it conformed to the general plan and that environmental clearance had been accomplished by filling a Negative Declaration. He said the applicant hoped to use the property as a highway oriented travel trailer park.

Mr. Charles Wentland, 1601 West Lodi Avenue, was present and spoke in favor of the proposal.

There being no other persons in the audience wishing to be heard on the matter, the public portion of the hearing was closed.

After Council discussion, Councilman Schaffer moved introduction of Ordinance No. 1019 rezoning an approximate 2-acre parcel on the east side of South Cherokee Lane approximately 1120 feet south of Kettleman Lane to be in the C-2 General Commercial District. The motion was seconded by Councilman Katnich and carried by unanimous vote.

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PLANNING COMMISSION

The City Manager gave the following report of the Planning Commission meeting of October 15, 1973:

ORDINANCE CONTROLLING NOISE

The Planning Commission recommended that the City Council adopt an ordinance controlling noise within the City and forwarded a proposed ordinance reviewed and recommended by the Planning Commission.

ACTIONS OF INTEREST

The Planning Commission also took the following actions of interest to the City Council:

1. After reviewing a written legal opinion from the City Attorney, the Commission required a 20-foot wide easement for public access to the Mokelumne River through the Rivergate Mokelumne Subdivision, said easement to be shown on the Final Subdivision Map.
2. Approved the request of Resicom Properties, Inc. for a Use Permit to erect a 60-unit apartment complex on the north side of Century Boulevard approximately 200 feet east of South Hutchins Street in an area zoned P-D (10), Planned Development District No. 10 with certain conditions.
3. Approved the request of Resicom Properties, Inc. for a variance to permit detachment of a building for a 15-unit apartment complex on the south side of Hale Road, east of Lloyd Street in an area zoned R-HD, Residential High Density District.
4. Recommend approval of the County referred request of Ms. Loretta Scott for a Use Permit to establish a sales and display lot for new and used recreation vehicles and outside storage for same on the south side of Kettleman Lane from 552 feet to 662 feet east of Stockton Street southwest of Lodi in an area zoned I-PA, Interim Protected Agriculture.
5. Discussed the Draft Environmental Impact Report for the proposed site for Tokay High School at the southwest corner of Harney Lane and South Hutchins Street (West Lane).
6. Chairman Avery T. Gassin reappointed Ronald B. Thomas and Fred M. Reid to the Site Plan and Architectural Review Committee, said appointments to be for 2-year terms expiring June 30, 1975.

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COMMUNICATIONS

AGRICULTURAL
PRESERVE -
L. TAMBA

RES. NO. 3837

Mr. Michael McGrew, Deputy County Counsel, informed the Council that the Board of Supervisors of the County of San Joaquin will conduct public hearing at 2:45 p.m. Thursday, November 1, 1973, to consider establishing an Agricultural Preserve on the Lois A. Tamba property on the south side of Kettleman Lane west of the Woodbridge Irrigation District Canal.

On motion of Councilman Katnich, Schaffer second, the Council adopted Resolution No. 3837 opposing the creation of an Agricultural Preserve on the Lois A. Tamba property on Kettleman Lane.

LODI SPHERE
OF INFLUENCE -
LAFCO

The Council received notice of the Public Hearing at 2:00 p.m., Friday, October 19, 1973, by the Local Agency Formation Commission concerning Spheres of Influence for Agencies providing urban services within the City of Lodi and its environs.

ABC LICENSE

Applications for alcoholic beverage licenses were received as follows:

1. Ronald M. Eayrs and Larry Giminez, The Jersey Lily, 25 North Sacramento Street, person to person transfer, supplemental on-sale beer.
2. Tradewell Stores, Inc., Prairie Market, 940 East Pine Street, new license, on-sale beer and wine.

PUC HEARING

The Council received notice from the Public Utilities Commission of prehearing conference at 9:30 a.m., Monday, November 12, 1973, in San Francisco to consider the applications of Pacific Gas and Electric Company to increase its rates and charges for gas service, electrical service and steam service provided by the San Francisco Steam Sales Systems.

PROPOSITION #1
REVENUE CONTROL
AND TAX
LIMITATION
INITIATIVE

The Council was in receipt of a letter from Mr. Ben H. Lewis, Mayor of the City of Riverside, urging the Council to oppose State Proposition #1 on the November 6, 1973, ballot known as the Revenue Control and Tax Limitation Initiative.

Mayor Hughes asked that discussions of this matter be held later in the session.

CITY OF
MANTECA
HIGHWAY
FUNDING

The City Manager read a letter from Mr. H. C. Buchanan, Mayor of the City of Manteca, offering the City the opportunity to participate with Manteca in joint action to challenge the acceptance of \$1,000,000 Mr. Ernest Hahn, developer and contractor, has offered the City of Modesto to hand over to the State Department of Transportation to accelerate the construction of a portion of State Route 132. The City of Manteca contends that the

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acceptance of these funds will advance the Highway 132 construction at the expense of Highway 120 through Manteca.

After discussion, no action was taken on this matter.

COMPLAINTS
SO. SACRAMENTO
STREET

Mr. Mike Lima, 721 South Sacramento Street, was present and voiced his concern about (1) automobiles speeding on South Sacramento Street, (2) the continued blockage by trains of the Tokay Street crossing of the Southern Pacific tracks, and (3) the number of prowlers and trespassers in the neighborhood.

PROPOSITION #1

Mrs. Darlene Avery, 430 Virginia Avenue, was present and read a statement from the League of Women Voters urging the Council to oppose Proposition No. 1 on the November 6, 1973, ballot.

Mrs. Robert B. Nelson, 1045 North Edison Avenue, Stockton, was present and represented the San Joaquin County Coalition to defeat Proposition No. 1.

Under discussion, Mayor Hughes and Councilman Schaffer indicated their support for Proposition No. 1 while Councilman Ehrhardt and Councilman Katnich spoke in opposition to it.

Upon motion of Councilman Ehrhardt, Katnich second, a Resolution opposing Proposition No. 1, the Revenue Control and Tax Limitation Initiative, was introduced. By voice vote, the Resolution failed to pass by the following vote:

Ayes: Councilmen - EHRHARDT and
KATNICH

Noes: Councilmen - SCHAFFER and
HUGHES

Absent: Councilmen - PINKERTON

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$561,366.72 were approved on motion of Councilman Schaffer, Katnich second.

AWARD - COMPACT
CAR
UTILITIES

City Manager Graves presented bids received for a compact car in the Utilities Department as follows:

RES. NO. 3831	Sanborn Chevrolet, Inc.	\$2,505.87
	Geweke Ford	\$2,635.11
	Weil Motors	\$2,801.13

The City Manager recommended that the award be made to the low bidder for the amount of the bid. On motion of Councilman Ehrhardt, Katnich

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second, the Council adopted Resolution No. 3831 awarding the contract for a compact car in the Utilities Department to Sanborn Chevrolet, Inc. for the amount of the bid.

AWARD -
1/2 TON PICKUP
UTILITIES
REJECTED

The City Manager reported that two bids had been received for a 1/2 ton pickup in the Utilities Department and that neither bid matched the specifications as published.

On motion of Councilman Katnich, Schaffer second, all bids for the 1/2 ton pickup in the Utilities Department were rejected and specifications were ordered readvertised.

AWARD - TWO
COMPACT
PICKUPS
FINANCE

City Manager Graves presented bids received for two compact pickups in the Finance Department as follows:

RES. NO. 3832

Geweke Ford	\$4,698.24
Sanborn Chevrolet, Inc.	\$5,034.34

The City Manager recommended that the award be made to the low bidder for the amount of the bid.

On motion of Councilman Katnich, Ehrhardt second, the Council adopted Resolution No. 3832 awarding the contract for two compact trucks in the Finance Department to Geweke Ford for the amount of the bid.

AWARD -
MEDIUM PRICE
CAR
POLICE

City Manager Graves presented bids received for a medium price car in the Police Department as follows:

RES. NO. 3833

Geweke Ford	\$3,241.48
Sanborn Chevrolet, Inc.	\$3,247.53
Swearingen-Jentoft (Buick Apollo)	\$3,278.72
Swearingen-Jentoft (Oldsmobile Omega)	\$3,291.03
Weil Motors	\$3,341.08

The City Manager recommended the award be made to the low bidder for the amount of the bid. On motion of Councilman Ehrhardt, Katnich second, the Council adopted Resolution No. 3833 awarding the contract for a medium price car in the Police Department to Geweke Ford for the amount of the bid.

AWARD -
MEDIUM PRICE CAR
UTILITIES

City Manager Graves presented bids received for a medium price car in the Utilities Department as follows:

RES. NO. 3834

Courtesy Lincoln Mercury	\$2,728.80
Geweke Ford	\$2,765.30
Sanborn Chevrolet, Inc.	\$3,089.41

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The City Manager recommended that the award be made to the low bidder for the amount of the bid. On motion of Councilman Schaffer, Ehrhardt second, the Council adopted Resolution No. 3834 awarding the contract for a medium price car in the Utilities Department to Courtesy Lincoln Mercury for the amount of the bid.

SPECS - HALE
PARK CENTER
RENOVATION

Mr. George Haight, c/o Haight and Morris Architects, 315 West Pine Street, was present to discuss the specifications for the renovation of the Hale Park Center (formerly Boy Scout Center). He said that this phase of development includes the remodeling of the restrooms and the addition of a new entrance. Mr. Haight stated that the estimated cost of the project was \$27,000 which did not include architect's fees.

The City Manager and City Attorney recommended the specifications be changed so (1) that City crews were not responsible for demolition or similar work and (2) that the inclusion of fire retardent paint be to the discretion of the City Manager.

On motion of Councilman Schaffer, Ehrhardt second, the Council then approved specifications for the remodeling of the Hale Park Center with the modifications as recommended by the staff and authorized advertising for bids thereon.

ARCHITECT
KOFU PARK
TENNIS COURTS

The Commission for Recreation and Parks recommended that the City Council retain the architectural firm of Haight and Morris to design six tennis courts for Kofu Park in the amount of \$1950 for the entire project.

On motion of Councilman Schaffer, Katnich second, the City Council approved retaining the architectural firm of Haight and Morris to design six tennis courts in the amount of \$1950 and authorized the City Manager to execute the contract on behalf of the City.

SUBSTITUTE
CARPETS FOR
PARTITIONS

The City Manager stated that the 1973-74 Budget contains funds to construct partitions in the Recreation Department which would provide more privacy for the various persons working in the building. He stated that by constructing partial partitions enough money could be saved to install carpeting which would further decrease the noise in the building.

On motion of Councilman Ehrhardt, Katnich second, the City Council approved using a portion of the funds budgeted to erect partitions in the Recreation Department for the installation of carpeting.

ACCEPT
SUBDIVISION
PAVING

On motion of Councilman Schaffer, Ehrhardt second, the Council accepted the subdivision paving as complete and directed the Public Works Director to file the Notice of Completion on the project.

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RIGHT-OF-WAY
ACQUISITION -
W. LODI AVE.
FESSLER

The City Manager recommended that the City Council approve the acquisition of a 4-1/2 foot wide strip of land belonging to Willard and Mildred Fessler at the northwest corner of West Lodi Avenue and South Rose Street for the amount of \$1,100 which was the appraised value of the property.

On motion of Councilman Schaffer, Katnich second, the City Council approved the right-of-way agreement between Willard and Mildred Fessler and the City of Lodi for acquisition of property along West Lodi Avenue west of South Rose Street and authorized the City Manager to sign the agreement on behalf of the City.

RIGHT-OF-WAY
ACQUISITION
60 KV LINE
H. EILERS

The City Manager recommended that the City Council approve the acquisition for the amount of \$2500 of the following right-of-ways from Mr. Henry G. Eilers: (1) for the 60 KV overhead line along his north property line adjacent to the Woods School between Lilac Street and Lower Sacramento Road and (2) for a 12 KV underground line adjacent to the northside of West Turner Road between Lilac Street and Lower Sacramento Road.

On motion of Councilman Ehrhardt, Schaffer second, the Council approved the right-of-way agreement between Mr. Henry G. Eilers and the City of Lodi as described above and authorized the City Manager to sign the agreement on behalf of the City.

UTILITY POLE
RELOCATION

Mayor Hughes stated that a utility pole located at the northwest corner of Lower Sacramento Road and West Turner Road might prove to be hazardous to the motoring public in its present location.

On motion of Councilman Ehrhardt, Schaffer second, the Council instructed the City Manager to investigate and report on this matter.

DEMOLITION
324-1/2 LOUIE AVE.
RES. NO. 3835

The City Attorney reported that the City Council on June 21, 1972, had ordered the removal of an unsafe building at 324-1/2 Louie Avenue and that since the City had been unable to locate the owners of the building, the Chief Building Inspector had ordered the work done at a bid price of \$450 plus incidental expenses of \$39.32. He recommended that the City Council set a public hearing to assess the costs to the property owner.

On motion of Councilman Schaffer, Ehrhardt second, the Council adopted Resolution No. 3835 fixing the time and place for hearing the report of the Chief Building Inspector and setting assessment for property at 324-1/2 Louie Avenue.

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AMEND
MUTUAL AID
FIRE PROTECTION
AGREEMENT

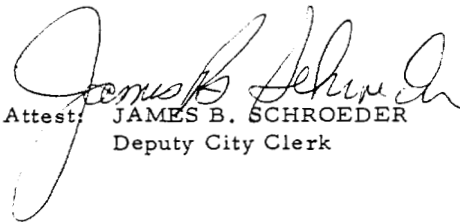
RES. NO. 3836

The City Manager recommended that the City's Mutual Aid Fire Protection Agreement be amended to permit the Fire Chief to respond to a mutual aid call directly rather than first calling the City Manager.

On motion of Councilman Ehrhardt, Schaffer second, the Council adopted Resolution No. 3836 which amends the Mutual Day to Day Fire Protection Agreement to permit the Fire Chief to determine the extent of aid to be furnished and authorized the City Manager to sign the agreement on behalf of the City.

ADJOURNMENT

As there was no further business to be brought before the City Council, Mayor Hughes declared the session adjourned at 10:00 p.m.


Attest: JAMES B. SCHROEDER
Deputy City Clerk